

**STATE OF TEXAS
COUNTY OF DENTON
TOWN OF HICKORY CREEK**

The town council of the Town of Hickory Creek, Texas convened in a regular session on February 16, 2016 at 6:30 p.m. in the council chambers, located at 1075 Ronald Reagan Avenue. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Lynn Clark, Mayor
Tracee Elrod, Councilmember Place 1
Richard DuPree, Councilmember Place 2
Paul Kenney, Councilmember Place 4
Eric Wiser, Mayor Pro Tem

Absent: Chris Gordon, Councilmember Place 3

Also in attendance were:

John M. Smith, Jr., Town Administrator
Kristi K. Rogers, Town Secretary
Carey Dunn, Chief of Police
Lance Vanzant, Town Attorney

Mayor Clark called the meeting to order at 6:31 p.m.

Following the Pledge of Allegiance, Councilmember Wiser gave the invocation.

Proclamation

Mayor Clark proclaimed March 8, 2016 as "IHOP's National Pancake Day and Shriners Hospitals for Children Day."

Items of Community Interest

The town council held an appreciation dinner for volunteers on February 11, 2016.

Public Comment

T.J. Gilmore, 724 Juniper Lane, Lewisville, Texas, introduced himself to the town council. Mr. Gilmore, Public Sector Solutions Manager for Waste Management, replaced Joe Jaynes as the town's point of contact.

Ellen Hakala, 808 Tree Haven Court, Highland Village, Texas stated she is very concerned with the plan that has been put forth by the Bureau of Land Management to lease 258 acres of drilling rights under the reservoir. Over a three-year period, scientists at UT Arlington analyzed 550 private water wells. Elevated levels of containments were found in twenty-five percent of the water samples from those wells. Drilling for oil and gas should not take place under a reservoir that provides fresh drinking water for 2.4 million people.

Town of Hickory Creek
February 16, 2016
Page 2

Fracking under the lake, could possibly cause a breach of the Lake Lewisville Dam putting many people in harm's way. The stability of the bridge on FM 2499 could be compromised by earthquakes as a result of fracking. Many people enjoy the lake and do not wish to see the parks and shoreline contaminated.

Linda Cawley, 212 Livingston, stated she is against the Bureau of Land Management proposal. She would like for her grandchildren and their children to enjoy the Earth as much as she has utilizing the lake and picnicking in the parks. The town she loves is Hickory Creek On the Lake, and she does not want it to become Hickory Creek On the Oil Spill.

Item B - Public Hearing

No public hearing.

Item C – Consent Agenda Items

1. January 2016 Police Report
2. January 2016 Fire Report
3. January 2016 Court Report
4. January 2016 Building Report
5. January 2016 Council Meeting Minutes
6. January 2016 Financial Statements
7. Consider and act on an ordinance ordering a municipal election for the Town of Hickory Creek for May 7, 2016.
8. Consider and act on an ordinance ordering a special election for the Town of Hickory Creek for May 7, 2016.
9. Consider and act on a joint election agreement and contract for election services with Denton County for the May 7, 2016 election.
10. Consider and act on the final site plan for Waterview Estates: S.A. Jones Survey Tr. 20, 13.53 acres, Old Dcad Tr. #1b, Hickory Creek, Denton County, TX.

Motion: made by Councilmember Kenney to approve consent agenda Items C1 – C10 as presented. Motion seconded by Councilmember Wiser.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

Item D – Regular Agenda Items

D (1) – Consider and act on an interlocal cooperation agreement between Denton County, Texas and the Town of Hickory Creek, Texas associated with the reconstruction of Main Street.

No action taken.

D (2) - Consider and act on bids submitted for the Main Street Reconstruction and Hickory Creek CIP Project.

No action taken.

D (3) - Consider and act on the Annual Racial Profiling Report for 2015.

Chief Cary Dunn presented the Annual Racial Profiling Report for 2015.

Motion: made by Councilmember Kenney to accept the Annual Racial Profiling Report for 2015 as presented. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (4) - Consider and act on purchasing Automated External Defibrillators (AED) for the police department.

Motion: made by Councilmember Wiser to approve the funding for five Automated External Defibrillators from the drug forfeiture fund as presented. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (5) - Consider and act on purchasing a handheld LIDAR for the police department.

Motion: made by Councilmember Kenney to approve the purchase of a handheld LIDAR for the police department in an amount not to exceed \$2,410.00 from the drug forfeiture fund.

Motion seconded by Councilmember Dupree.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (6) - Consider and act on nomination of the 2015 Hickory Creek Business/Businessman of the Year.

Motion: made by Councilmember Kenney to recognize Sherwin Williams as the 2015 Hickory Creek Business of the Year. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (7) - Consider and act on nomination of the 2015 Hickory Creek Citizen of the Year.

Motion: made by Councilmember DuPree to recognize Seth Koket as the 2015 Hickory Creek Citizen of the Year. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (8) - Consider and act on nomination of the 2015 Hickory Creek Scholar of the Year.

Motion: made by Councilmember Wiser to recognize Taylor Branch and Corbin Murray as the 2015 Hickory Creek Scholars of the Year. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (9) - Consider and act on nomination of the 2015 Hickory Creek Sportsman of the Year.

Motion: made by Councilmember Wiser to recognize Ashley Hayes and Travis Guevara as the 2015 Hickory Creek Sportsmen of the Year. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (10) - Consider and act on Bureau of Land Management (BLM) Gas Leases for parcels located at Lake Lewisville.

Gerald Bartz presented council with his concerns regarding the BLM proposal to allow fracking at Lake Lewisville. Mr. Bartz has five years' experience locating fractured geothermal reservoirs, nine years in the oil/gas exploration industry and six years' experience in environmental risk assessment. Lake Lewisville is in an area that fracking could cause expensive structural damage to the dam and affect the lives of those dependent on the dam for downstream flood control.

Motion: made by Councilmember Elrod to approve the protest letter as presented. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (11) - Consider and act on a social media policy.

Motion: made by Councilmember Wiser to approve the social media policy as presented. Motion seconded by Councilmember Kenney.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (12) - Consider and act on amending the master fee schedule; establishing a town hall facility rental fee.

Motion: made by Councilmember Wiser to approve the master fee schedule establishing a town hall facility rental fee as presented. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (13) - Consider and act on bids for needed repairs to the boat docks in Arrowhead Park, Point Vista Park and Sycamore Bend Park.

Motion: made by Councilmember Kenney to approve the bid from Dockinit LLC dba E. M. Docks for boat dock repairs in Arrowhead Park, Point Vista Park and Sycamore Bend Park in an amount not to exceed \$56,500.00. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (14) - Consider and act on allocating funds for security improvements for the municipal court.

Motion: made by Councilmember Elrod to allocate funds for security improvements from the Building Security Fund in an amount not to exceed \$28,000.00. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (15) - Consider and act on allocating funds for technology improvements for the council chambers.

Motion: made by Councilmember Kenney to allocate \$3,500.00 for technology improvements for the council chambers at the discretion of the town administrator. Motion seconded by Councilmember Elrod.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

D (16) - Consider and act on purchasing a tractor for the public works department.

Motion: made by Councilmember Kenney to authorize the town administrator to purchase a tractor for the public works department in amount not to exceed \$35,000.00. Motion seconded by Councilmember DuPree.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

Item E - Executive Session: The Town Council convened into executive session at 7:26 p.m. pursuant to Chapter 551 of the Texas Government Code Section 551.071, Consultation with City Attorney and other legal counsel on matters in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, or on matters pertaining to pending or contemplated litigation.

1. Cause No. 15-10761-211; Texas Voices for Reason and Justice, Inc. vs. The City of Argyle, Texas; The City of Hickory Creek, Texas; The City of Oak Point, Texas and The City of Ponder, Texas, In the 211th Judicial District Court of Denton County, Texas.

Item F - Reconvene into Open Session: The Town Council reconvened into open session at 7:45 p.m.

No action taken.

Item G – Adjournment

Motion: made by Councilmember Kenney to adjourn the meeting. Motion seconded by Councilmember Wiser.

Ayes: Councilmember Elrod, Councilmember DuPree, Councilmember Kenney and Councilmember Wiser.

Nays: None

MOTION PASSED UNANIMOUSLY

Town of Hickory Creek
February 16, 2016
Page 7

The meeting did then stand adjourned at 8:17 p.m.

Approved:

Attest:

Lynn C. Clark, Mayor
Town of Hickory Creek

Kristi K. Rogers, Town Secretary
Town of Hickory Creek